

E-Filed 1/30/12

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 6 INTERSTATE FIRE & CASUALTY COMPANY

7
 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **(San Francisco)**
 11

12 SIERRA BAY CONTRACTORS, INC., A
 California Corporation,

13 Plaintiff,

14 v.

15 WESTCHESTER SURPLUS LINES
 16 INSURANCE COMPANY, a Georgia
 corporation, and ROES 1 through 50,
 17 inclusive,

18 Defendants.

19 AND RELATED CROSS-ACTIONS
 20

CASE NO: 3:10-CV-04611-RS

**STIPULATION AND [PROPOSED]
 ORDER FOR DISMISSAL OF
 CROSS-DEFENDANT NAVIGATORS
 SPECIALTY INSURANCE
 COMPANY, FORMERLY KNOWN
 AS NIC INSURANCE COMPANY**

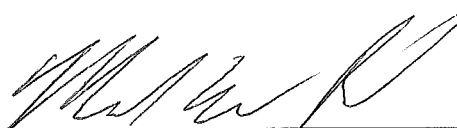
21 Pursuant to F.R.C.P. 41, Cross-Defendant, Navigators Specialty Insurance Company,
 22 formerly known as NIC Insurance Company ("Navigators"), and Cross-Claimant, Interstate Fire
 23 & Casualty Company ("Interstate"), have agreed and hereby stipulate to the dismissal of
 24 Navigators from Interstate's Cross-Claim, with prejudice, subject to said parties' mutual waiver
 25 of costs. Said parties request the Court's approval and execution of the below proposed order for
 26 dismissal.

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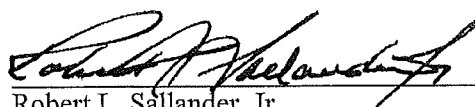
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IT IS SO STIPULATED.

DATE: Jan. 22, 2012 By:


Mark W. Peck
Attorneys for Third-Party Defendant and Cross-Claimant
INTERSTATE FIRE & CASUALTY COMPANY
CASUALTY COMPANY

DATE: Jan 23, 2012 By:



Robert L. Sallander, Jr.
Attorneys for Third-Party Defendant and Cross-Defendant
NAVIGATORS SPECIALTY INSURANCE COMPANY,
formerly known as NIC INSURANCE COMPANY

PROPOSED ORDER OF PARTIAL DISMISSAL

Having reviewed the above stipulation, the Court orders that Third-Party Defendant and Cross-Claimant, Interstate Fire & Casualty Company's cross-claim against Third-Party Defendant and Cross-Defendant Navigators Specialty Insurance Company, formerly known as NIC Insurance Company, be dismissed, with prejudice. The remainder of the cross-claims shall not be changed or impacted by this Order.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/30/12


United States District Court
District of Northern California

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